

REMARKS

Reconsideration of this application is respectfully requested in view of the foregoing amendments and the following remarks.

The Examiner has rejected claims 1-8 under 35 U.S.C. 112 second paragraph. Claims 1, 2, 4, and 7 have been amended to overcome these rejections. Support for the amendment to claim 4 can be found in the specification on page 5 line 21.

The Examiner has rejected claims 1-5 and 7-8 as being unpatentable over U.S. Patent No. JP4704046212 in view of U.S. Patent No. 4,792,357 to *Bier*.

It is respectfully submitted that claims 1-8 are patentable over the above identified references taken either singularly or in combination. First, the translation of reference JP 4704046212 does not contain any one of the following elements: paint composition comprising wood powder, CMC PVA, pigment and water et al. Instead the '212 patent relates to the manufacturing process of a paint tool. The only material described is porcelain clay. Therefore, this patent does not disclose the elements listed by the examiner. Therefore, it is respectfully submitted that since the primary reference, that of the '212 patent does not disclose these features, we believe that the claims as written are in condition for allowance over the above identified rejections. If however the '212 reference does somehow contain these elements, it is respectfully requested that the Examiner indicate the portion of the reference which discloses these elements.

In addition, new claims 9-17 have been added. Support for new claims 9-17 can be found in claim 1 as originally filed and on page 5 of the specification.

It is believed that no fee is due, however the commissioner is hereby authorized to charge Collard & Roe, P.C.'s deposit account of 03-2468 for any necessary fee or to credit any overpayment.

No new matter has been introduced. Entry of this amendment is respectfully requested.

Respectfully submitted,
Kikue HAYASHIHARA ET AL-1 PCT

/William Collard/
William C. Collard, Reg. No. 38,411
Attorney for Applicants

COLLARD & ROE, P.C.
1077 Northern Boulevard
Roslyn, New York 11576
(516) 365-9802
WCC:ea

Filed 8-18-08.

R:\Patents\HHAYASHIHARA ET AL PCT 1\Amendment to 5-22-08 oa.wpd